

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF NEW HAMPSHIRE

LEO CULLINAN

Plaintiff,

v.

CATHOLIC MEDICAL CENTER; GRANITE ONE
HEALTH; JOSEPH PEPE, MD; ALAN FLANIGAN,
MD; HOLLI HOLBROOK, RN; UNKNOWN
“CHARGE NURSE”; LEIGH-ANN ALBANESE, RN;
UNKNOWN PATIENT LIASION; STEPHEN SAGE;
ALBERTO OYOLA; JAMES DEROCHÉ; ZAKERY
CHIVELL; DANIEL MONTOYA; EDWARD
WEEKS; PARKLAND MEDICAL CENTER; ALI
KHAIRAT, MD; LARRY KESSLER, MD; MADISON
FIASXONARO, MD; THOMAS GALLAGAR, MD;
UNKNOWN GALTH, MD; UNKNOWN INTAKE
NURSE; MANCHESTER POLICE DEPARTMENT,
ALLEN ALDENBERG; AUSTIN BIERY; ROGERIO
DIAS; RYAN GARLAND; UNKNOWN NOCELLA;
MAX CASTRICAL; AND STEPHEN BATES.

Docket No. 1:22-CV-00563

Defendants.

NOTICE OF SERVICE PRUSUANT
TO COURT ORDER DATED JUNE 21, 2023

Defendants, Catholic Medical Center and GraniteOne Health (collectively “Defendants”),
by and through their attorneys, Morrison Mahoney LLP, respectfully submit that service of process
has been made upon Plaintiff’s likely representative(s) and successor(s) as described in this Court’s
Order dated June 30, 2023, stating as follows:

1. On June 21, 2023, Defendants filed a Suggestion of Death on the record regarding
pro se Plaintiff, Leo A. Cullinan.

2. On June 30, 2023, this Court ordered that, Defendants “shall identify the person
who is plaintiff’s representative and the persons who are his likely successors and serve a copy of

the original complaint in this case, the suggestion of death, and this order on them consistent with Federal Rule of Civil Procedure 4.”

3. To date, Defendants have identified the following individuals as likely representative(s) and likely successor(s):

- a. Paul Cullinan (Plaintiff’s father);
- b. Lisbeth Wood and Robert Wood (Plaintiff’s mother and stepfather);
- c. Jonathan Cullinan (Plaintiff’s brother);
- d. Mary Corso (mother of Plaintiff’s minor child, Liam); and
- e. Charlena Millette (mother of Plaintiff’s minor child, Lucias);

4. On August 9, 2023, the Complaint, Suggestion of Death, and Court Order dated June 30, 2023, were sent to all of the above-named likely representative(s) and successor(s) via First Class Mail and Certified Mail, Return Receipt Requested. (Ex. A – USPS Tracking)

5. On August 11, 2023, the above-reference documents were served upon Mary Corso and Paul Cullinan via Process Server. (Ex. B – Certificates of Service).

6. On August 10, 2023, the above-reference documents were served upon Lizbeth and Robert Wood and Jonathan Cullinan via Process Server. (Ex. C – Certificates of Service).

7. On August 14, 2023, the above-reference documents were served upon Charlena Millette via Process Server. (Ex. D – Certificate of Service).

8. Additional Certificates of Service shall be filed upon receipt.

WHEREFORE, Defendants respectfully requests that this Honorable Court:

A. If no motion to substitute an appropriate person for Plaintiff is filed within 90 days of completed service, dismiss the Complaint, with prejudice, pursuant to Fed. R. Civ. P. 25(a)(1); and

B. Grant any other relief deemed fair and just.

Respectfully submitted,

CATHOLIC MEDICAL CENTER AND
GRANITE ONE HEALTH

Dated: August 14, 2023

MORRISON MAHONEY LLP

By: /s/ William N. Smart

William N. Smart, #18357
wsmart@morrisonmahoney.com
Erin M. Hoefler, #265356
ehoefler@morrisonmahoney.com
650 Elm Street, Suite 201
Manchester, NH 03101
Phone: 603-622-3400
Fax: 603-622-3466

CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of August 2023 I forwarded a copy of the foregoing via first class mail, portage prepaid, direct to:

Leo Cullinan
14 Country Club Drive, Apt. 25
Manchester, NH 03012
Pro Se Plaintiff

And, via ECF only to the following counsel:

Dona Feeney, Esq.
Friedman Feeney, PLLC
95 N State St, Ste 5
Concord, NH 03301
***Counsel for Manchester Police Department,
Allen Aldenberg, Austin Biery,
Rogerios Dias, Ryan Garland,
Brendan Langton, Unknown Nocella,
Max Castrical, Stephen Bates***

Joshua D. Hadriaris, Esq.
Norman, Hanson & Detroy, LLC
Two Canal Plaza
PO Box 4600
Portland, ME 04112-4600
***Counsel for Thomas Gallagher and
Larry Kessler***

Elizabeth Ewing, Esq.
Wadleigh Peters Starr
95 Market Street
Manchester, NH 03101
***Counsel for Parkland Medical Center and
Ali Khairat***

/s/ William N. Smart
William N. Smart